

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DREW E. BURBRIDGE, et al.)	
)	
Plaintiffs,)	
)	
v.)	Cause No.: 4:17-cv-02482-RLW
)	
CITY OF SAINT LOUIS, MISSOURI, et al.)	
)	
Defendants.)	

OPPOSITION TO MOTION TO CONSOLIDATE

Third-party Movants Alex Nelson and Iris Nelson join in the Plaintiffs' Opposition to Consolidation of Discovery and incorporate the arguments made therein. Movants further state the following:

1. Movants Alex and Iris Nelson are Plaintiffs in *Nelson v. City of St. Louis*, 4:18-cv-1561.
2. On January 3, 2019, Defendants in *Burbridge v. City of St. Louis*, No. 4:17-cv-2482 moved to consolidate discovery with Movants case and 22 other active cases.
3. All of the cases listed in the Motion to Consolidate stem from civil rights violations committed by Defendants against the various Plaintiffs at different times from September 15, 2017 to September 29, 2017.
4. Many of the cases relate to the same incident on September 17, 2017, when Defendants organized and executed an unlawful kettle of protestors in the City of St. Louis.
5. Nine of the cases sought to be consolidated, however, relate to incidents on different days.
6. While the City of St. Louis is a common Defendant in each case, each case has a unique set of Defendants.

7. From conversations with Defendants' counsel, Movants understand that the City believes that some witnesses will be able to provide information that relates to all 23 cases.

8. As the Burbridges proposed, Movants are also "willing to accommodate the City on key shared witness depositions related to 'pattern and practice', that can be accomplished through mutual agreement." *See* D.E. 57 at 3. Movants also agree that "[a] blanket order of consolidation is unjust and overly burdensome." *Id.*

9. Movants respectfully request the Court to deny the motion to consolidate without prejudice. The attorneys for the various parties can then meet and confer regarding shared depositions.

WHEREFORE, for the reasons stated above, Movants respectfully request the Court to enter an order denying the motion.

Date: January 11, 2019

RESPECTFULLY SUBMITTED,

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